



# ADMINISTRATIVE PROCEDURES

Procedure Number: 3-20

Effective Date: 07/01/2016

Revision Date: \_\_\_\_\_

*C. Dubuque*  
\_\_\_\_\_  
County Administrator

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SUBJECT: **PARENTAL LEAVE**

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DEPARTMENT RESPONSIBLE: **All County Departments**

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## I. STATEMENT

Pima County is committed to providing a work environment that is supportive of employees' work and personal life obligations. In demonstration of this commitment, the County offers eligible employees up to six (6) weeks of partially paid parental leave within the first twelve (12) weeks after the birth or adoption of a child. This procedure provides the guidelines under which parental leave may be authorized.

The purpose of this administrative procedure is:

1. to implement Personnel Policy (PP) 8-107 F;
2. to set forth specific County-wide procedures and processes to be utilized in the authorization process for partially paid parental leave.

## II. DEFINITION

IN LOCO PARENTIS – persons with day-to-day responsibilities to care for and/or financially support a child. A biological or legal relationship is not necessary.

## III. PROCEDURES

- A. Upon approval of the Human Resources Department, eligible employees may be granted up to six (6) continuous work weeks of parental leave within the first twelve (12) weeks after the birth or adoption of a child. Employees may request additional leave (beyond the six (6) weeks of parental leave) by applying accrued sick leave, compensatory time or annual leave in accordance with Family and Medical Leave policy guidelines.
- B. Parental leave must be taken as a single block of continuous leave of six (6) weeks or less and is only available once during a consecutive twelve (12) month period.
- C. Parental leave will be paid at sixty-six and two-thirds (66⅔) percent of the employee's regular rate of pay in effect at the time the leave commences. Employees may, but are not required to, use their own sick leave, compensatory time or annual leave banks to supplement the paid portion of parental leave.

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- D. Employees who currently serve in a position that is eligible for benefits and have been employed by the County for at least twelve (12) months prior to the commencement of the requested leave are eligible for parental leave.
- The adoption date and/or anticipated birth date must be on or after the employee's first anniversary with the County. If the due date is after the employee's first anniversary, but the baby arrives earlier than anticipated or is born prematurely, the employee may not yet qualify for FMLA and may take parental leave concurrent with Humanitarian-Personal Leave (see Personnel Policy 8-108) with the approval of the Appointing Authority.
  - When birth and/or adoption dates are anticipated and occur prior to the employee's first anniversary with the County, the employee is not eligible to take parental leave.
  - When birth and/or adoption dates are anticipated before the employee's first anniversary but actually occur on or after the employee's first anniversary date, the employee will be eligible for parental leave.
- E. When both parents are County employees who meet eligibility guidelines, each is entitled to six (6) weeks of parental leave. Intermittent employees, as defined in Merit System Rule 1, are not eligible for parental leave.
- F. When an employee puts a child up for adoption within twelve (12) weeks following birth, or if the child is placed in foster care within twelve (12) weeks following birth, the period during which the employee is eligible for parental leave will end on the date the employee separates from the child.
- G. Surrogates and sperm donors are not eligible for parental leave.
- H. Requests for parental leave must be submitted to HR-Leave Administration on the form specified by Human Resources (Attachment 1) at least thirty (30) days before the leave is expected to begin or as soon thereafter as possible.
- I. The following parameters apply to parental leave for adoptions:
- includes the adoption of children under 18 years of age
  - includes adoption by a single parent or couple
  - does not include adoption of a spouse's or partner's child unless the child is adopted by both parents at the same time
  - does not include adoption of step-children or the equivalent
  - does not include guardianship, foster placement, or in-loco parentis
- J. Appointing Authorities shall not detail another employee into the position of an employee on parental leave and shall not otherwise temporarily fill the position of an employee on parental leave. Departments are not authorized to approve overtime costs for another employee to do the work of an employee on parental leave. In exceptional circumstances, an Appointing Authority may request County Administrator approval to temporarily fill the position of an employee on parental leave.

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- K. Payback provision: employees who fail to return to work for at least ninety (90) calendar days following the end of their approved parental leave agree to reimburse the County for the salary and benefits paid by the County for the period of parental leave. This reimbursement requirement will be excused if the employee's failure to return to work is related to the onset, recurrence, or continuation of a serious health condition of the employee or the child.
  - L. This procedure cannot anticipate or address every situation that might occur with respect to parental leave eligibility and the use of parental leave. In such circumstances, HR-Leave Administration will address each request on a case-by-case basis.
  - M. Denial of a request for parental leave is grievable through the parental leave grievance process. The Human Resources Leave Administrator will provide the grievance form upon request.

#### IV. RESPONSIBILITIES

- A. All departments are responsible for ensuring that their employees follow procedures set forth in Personnel Policies and this procedure regarding the request and approval of parental leave. Department Personnel Representatives are responsible for attaching a completed Parental Leave Request form to the Leave Administration Form (see AP 23-38 for specifics) and submitting both to HR-Leave Administration.
- B. Employees are responsible for properly requesting parental leave and timely submitting birth and/or adoption documentation to HR-Leave Administration.
- C. HR-Leave Administration is responsible for entering leave information into EV5 and eTIME as per HR Desktop Procedure for Leave Administration.

Attachment 1



**REQUEST FOR PAID PARENTAL LEAVE**

**Employee Name:** \_\_\_\_\_

**Department Name:** \_\_\_\_\_

**Employee Email:** \_\_\_\_\_

I certify that I meet the following requirements for Paid Parental Leave:

1. I am the natural parent, domestic partner, or new adoptive parent.
2. I am a benefits-eligible employee and will have been employed for at least 12 months prior to the commencement of the Paid Parental Leave.

**Requested Parental Leave Dates:** From \_\_\_\_\_ (first day of leave) To \_\_\_\_\_ (last day of leave)

Birth – Expected Date of Birth: \_\_\_\_\_

Adoption – Expected Date of Placement: \_\_\_\_\_

*In the event I do not return to work for at least 90 calendar days following the end of my approved leave, I agree to reimburse Pima County for the salary and benefits I received during my period of Paid Parental Leave. I understand that my available sick leave and vacation leave accruals will first be applied towards this reimbursement.*

Employee Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Supervisor Acknowledgment: \_\_\_\_\_

Date: \_\_\_\_\_

Supervisor Name (please print): \_\_\_\_\_

**Submission:** Once completed and acknowledged by your supervisor, submit this form directly to your department's Personnel Representative for submission to HR-Leave Administration. Acceptable documentation showing proof and date of birth or proof and date of placement must be provided to HR-Leave Administration within 48 hours after birth or placement of a child.

<b>Leave Administration use only:</b>		
Verification of birth or adoption viewed by:	Initials: _____	Date: _____

HR-Leave Administration may be contacted by email at [HR\\_LeaveAdmin@pima.gov](mailto:HR_LeaveAdmin@pima.gov) or phone 724-8076